



031904

16569 U.S. PTO

Modified PTO 1082
For A Small Entity

PATENTS
Attorney Docket No.: NEO-005 CON

Applicants : Green et al.

For : BRACHYTHERAPY NEEDLE WITH IMPEDANCE
MEASUREMENT APPARATUS AND METHODS OF USE

17497 U.S. PTO
10/804856

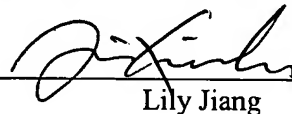


031904

EXPRESS MAIL CERTIFICATION

"Express Mail" mailing label number EV300005598US
Date of Deposit March 19, 2004

I hereby certify that this transmittal letter and the other papers and fees identified in this transmittal letter as being transmitted herewith are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and are addressed to Mail Stop Patent Application, Hon. Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.



Lily Jiang

Mail Stop Patent Application
Hon. Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RULE 53(b)
CONTINUING PATENT APPLICATION

Sir:

This is a request for filing a [X] continuation, [] divisional, application of pending prior Application No. 09/873,666, (Confirmation No. 4251), filed May 31, 2001, to be issued as US Patent No. 6,709,380 on March 23, 2004.

Transmitted herewith for filing are the [X] specification; [X] claims; [X] abstract; [X] declaration and power of attorney; [X] printEFS data sheet; for the above-identified patent application.

The enclosed declaration is:

- [] Newly executed (original or copy).
- [X] Copy from a prior application (37 C.F.R. § 1.63(d)).
- [] A signed statement is attached deleting inventors named in the prior application (37 C.F.R. §§ 1.63(d)(2) and 1.33(b)).
- [X] The entire disclosure of the prior application, from which a copy of the declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- [X] The prior application, Application No. 09/873,666, filed May 31, 2001, is assigned of record to NeoSeed Technology LLC., The Presidio, Old Army Headquarters, Building 220, Suite 120, P.O.Box 29450, San Francisco, California 94129.

Also transmitted herewith are:

☒ 7 sheets of:

☒ Formal drawings.

☐ Informal drawings. Formal drawings will be filed during the pendency of this application.

☐ An assignment of the invention to _____.

☐ A check in the amount of \$40.00 to cover the recording fee.

☐ Please charge \$40.00 to Deposit Account No. 06-1075 in payment of the recording fee. A duplicate copy of this transmittal letter is transmitted herewith.

☐ An associate power of attorney.

☐ A certified copy of the priority document, _____ application, No. _____, filed _____.

☐ An Information Disclosure Statement with Form PTO-1449 and copies of cited references.

☐ A Nonpublication Request.

☒ Small Entity Status is respectfully requested.

☒ Please cancel claims 2 through 21 before calculating the filing fee, to be filed subsequently, as shown below.

FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
BASIC FEE				\$385.00
TOTAL CLAIMS	1	-20 = 0	x \$9	= \$0.00
INDEPENDENT CLAIMS	1	-3 =0	x \$43	= \$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS			+ \$145	=

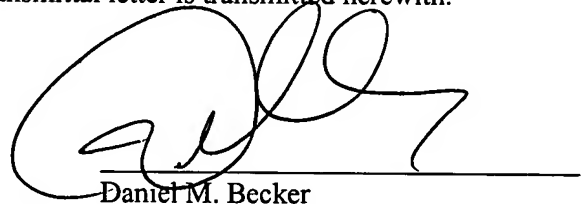
TOTAL \$385.00

☐ A check in the amount of \$ _____ in payment of the filing fee is transmitted herewith.

[] The Director is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. § 1.16 in connection with the paper(s) transmitted herewith, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

[] Please charge \$_____ to Deposit Account No. 06-1075 in payment of the filing fee. A duplicate copy of this transmittal letter is transmitted herewith.

19 MARCH 2004
Date



Daniel M. Becker
Registration No. 38,376
Attorney for Applicants

Fish & Neave
Customer No. 1473
1251 Avenue of the Americas
New York, New York 10020-1105
Tel.: (650) 617-4000